



House of Representatives

General Assembly

File No. 467

February Session, 2022

Substitute House Bill No. 5261

House of Representatives, April 13, 2022

The Committee on Public Health reported through REP. STEINBERG of the 136th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT INCREASING ACCESS TO REPRODUCTIVE HEALTH CARE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-602 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2022*):

3 (a) The decision to terminate a pregnancy prior to the viability of the
4 fetus shall be solely that of the [pregnant woman] patient in consultation
5 with [her] the patient's physician or, pursuant to the provisions of
6 subsection (d) of this section, the patient's advanced practice registered
7 nurse, nurse-midwife or physician assistant.

8 (b) No abortion may be performed upon a [pregnant woman] patient
9 after viability of the fetus except when necessary to preserve the life or
10 health of the [pregnant woman] patient.

11 (c) A physician licensed pursuant to chapter 370 may perform an
12 abortion, as defined in section 19a-912.

13 (d) An advanced practice registered nurse licensed pursuant to

14 chapter 378, a nurse-midwife licensed pursuant to chapter 377 and a
15 physician assistant licensed pursuant to chapter 370 may perform
16 medication and aspiration abortions.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2022	19a-602

PH *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

The bill allows advanced practice registered nurses, nurse-midwives, and physician assistants to perform abortions, which is not anticipated to result in a fiscal impact to the state.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**sHB 5261*****AN ACT INCREASING ACCESS TO REPRODUCTIVE HEALTH CARE.*****SUMMARY**

This bill allows advanced practice registered nurses (APRNs), nurse-midwives, and physician assistants (PAs) to perform aspiration abortions (the most common type of abortion during the first trimester). The bill also explicitly authorizes these providers to perform medication abortions, which conforms to existing practice resulting from a 2001 attorney general opinion (see BACKGROUND). Under the bill, as under existing law, physicians may perform any type of abortion.

The bill correspondingly specifies that someone's decision to terminate a pregnancy before the viability of the fetus must be made solely by that patient in consultation with the patient's physician, APRN, nurse-midwife, or PA, not just the patient and physician as under current law.

Under existing law, unchanged by the bill, an abortion may not be performed after the viability of the fetus except when needed to preserve the pregnant patient's life or health.

The bill also makes technical changes to terminology.

EFFECTIVE DATE: October 1, 2022

BACKGROUND***Attorney General Opinion***

Existing state regulations only expressly allow physicians to perform abortions (Conn. Agencies Reg., § 19-13-D54(a)). However, in a 2001 opinion (2001-15), Connecticut's attorney general concluded that this

restriction only applied to surgical abortions, and that state statutes authorizing APRNs, nurse-midwives, and PAs to prescribe drugs authorized them, under certain conditions, to dispense or administer a drug that would medically terminate a pregnancy.

Related Resolution

SJ 30 (File 389), reported favorably by the Government Administration and Elections Committee, proposes a constitutional amendment that prohibits any laws infringing the right of personal reproductive autonomy unless justified by a compelling state interest achieved by the least restrictive means.

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 22 Nay 7 (03/25/2022)